

EXHIBIT D



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Sent via First-Class Mail

And via E-mail to:

James J. Murray
Plunkett Cooney
303 Howard Street
Petoskey, MI 49770-2413
jmurray@plunkettcooney.com

Re: Bay View

Dear Mr. Murray:

In response to your recent letter, the draft complaint I have circulated identifies subgroups of folks who make up my client. Some are members of Bay View and some are not. Based on your client's apparent intention to retaliate against members of my client, I am not able or willing to provide the names and identities of the Group's membership at this time. However, I can certainly assure you that individuals with decision-making power for the group would be in attendance at a settlement negotiation. I also expect leadership from Michigan ACLU to attend, assuming they are not hip-deep in the ongoing national ICE case. They have expressed an intention to join, as they will be acting, at a minimum, as amicus in the matter. If a meeting is your client's desire, it should be undertaken with the clear understanding that resolution will require elimination of the religious test for Bay View membership. While we welcome discussion, I do not want to waste your time on a meeting that is not calculated to arrive at a resolution. I am sure we can work out the timing.

I do plan to file suit with the timing explained in my enclosure letter containing the draft complaint. If that occurs before your client arrives at a response/determination about whether to engage in settlement discussions, we can always agree upon a delayed timeframe for answering the allegations to allow time for discussion. Simply put, my client is determined to move forward as I represented we would, but settlement is always in both sides' interest and we are open to discussions.

Sincerely,
SALVATORE PRESCOTT &
PORTER, PLLC


Sarah S. Prescott